

Commissioner of Political Practices
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Campaign Finance and Practices

Complaint Form (10/09)

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COMMISSIONER OF
POLITICAL PRACTICES

CERTIFIED MAIL

SIGNED/NOTARIZED

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name Jesse A O'HARA

Complete Mailing Address 2533 Snowy Plover Dr.
Lakeland, FL 33810

Phone Numbers: Cell 406-781-3333 Work 406-781-3333 Home _____



Person or organization against whom complaint is brought (Respondent):

Complete Name Randy Pinocci

Complete Mailing Address 66 Sun River Cascade Rd
Sun River, MT. 59483-9740

Phone Numbers: Work 406-899-1947 Home 406-264-5391

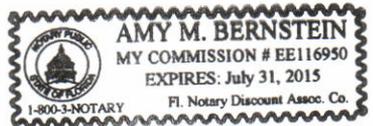
Please complete the second page of this form and describe in detail the facts of the alledged violation.

Verification by oath or affirmation

State of ~~Montana~~ FLORIDA, County of Polk

I, Jesse O'HARA, being duly sworn, state that the information in this Complaint is complete, true, and correct, to the best of my knowledge and belief.

(SEAL)



Jesse O'Hara
Signature of Complainant

Subscribed and sworn to before me this 2nd day of June, 2015.

[Signature]
Notary Public

My Commission Expires: 7/31/15

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

My complainant is on the next four pages.

*Jesse O'Hara
July 2, 2015*

Complaints must be:

- signed
- notarized
- delivered in person or by certified mail.

2014 Pinocci Campaign Reporting Review

This is a review of the C-5's filed by Representative Randy Pinocci for his 2014 campaign. The files to support this review we accessed from the Commissioner of Political Practices on-line website. The pdf files of reports on the CoPP website are attached numbered '1' through '10' with a sub 'a' to identify amended reports for file numbers '1' and '2'. Thus, there were 12 total C-5 reports accessed for the 2014 campaign but it is suspect that reports numbered '7' and '10' are filed in relation to the 2012 campaign.

GENERAL OBSERVATIONS:

- Throughout the 2014 reports there were several with no name, signature or date of the filer (i.e. Treasurer, Deputy Treasurer).
- The first report with a signature was the report 08/15/14 to 09/30/14 (file #4). It was signed by Richard Swanson, representing himself as the Treasurer. There is no amended C-1 reflecting a change to the Treasurer. The original C-1 indicated Mr. Pinocci as the Treasurer.
- Although it is hard to follow expenditures attributed to the campaign when many do not have dates of the expense, it seems strange that there were so many charges attributed to signs expense, considering the Representative had many signs left from the 2012 campaign. Charges on 11/02/14 in excess of \$200, two days before the General Election for paint, paint remover and plywood seems questionable.

REPORT #1:

- Initial Report Filed for period 03/03/14 – 05/22/14
 - o Claimed \$4,208.15 in-kind receipts with no explanation or date
 - o Excess contributions for Ed Butcher - \$200, Willie Thornley - \$250
 - o No name for \$100 contributor
 - o Schedule C showed no loan amounts or dates

REPORT #1a:

- Amended Report Filed for period 01/01/14 – 05/17/14
 - o Dates don't match Original Initial Report Filed
 - o Missing \$4,208.15 in-kind reported earlier (where did that go?)
 - o Attempted a fix of Willie Thornley by moving \$80 of \$250 contribution to a loan...still exceeds the legal limits
 - o Renamed Ed Butcher contribution to Pam Butcher...stills exceeds legal limits
 - o Added Miller and Linafelter contributions...did the deposits meet the deposit timeline requirements?
 - o On original report but not on the amended report: Humphrey, Wilks, Jacobs, Shockley, Wilks, Lowery and ? (no name on original report)
 - o Added 6 expenditures not on the original report but excluded numerous expenditures listed on the original report

REPORT #2:

- Report Filed for period 05/23/14 – 06/25/14
 - o This original report did not reflect the correct Cash in Bank - Balance From Previous Report (\$2,067.44 vs \$1,937.44). Understand amended reports came in later to change the \$\$\$ amounts but no continuity from prior report to subsequent report
 - o Judy Van Der Hagen contributed \$170 and \$50. Exceeds legal limits

REPORT #2a:

- Amended Report Filed for period 05/18/14 – 06/18/14
 - o Amended report dates do not match prior original report
 - o Judy Van Der Hagen or Judy Hagen - \$200 or \$50?
 - o Were C-7's filed within 48 hrs. for contributions of \$100 or more within the period of May 18th through June 3rd?

REPORT #3:

- Report filed for period 06/19/14 – 08/08/14
 - o Appears to be proper.

REPORT #4:

- Report filed for period 08/15/14 – 09/30/14
 - o Gap in filing period from previous report (08/09-15/14)
 - o No dates for Schedule B – Expenditures
 - o Schedule C – Loans, appears there were 2012 campaign loans comingled with the 2014 report. Not sure where the 2014 loans of \$4,100 went

REPORT #5:

- Report filed for period 10/01/14 – 10/18/14
 - o Schedule C – Loans, all loans previously reported for 2014 campaign back on sheet, supposed 2012 campaign loans now removed, Willie Thornley \$80 loan on sheet (still exceeds legal limits)

REPORT #6:

- Report filed for period 10/31/14 – 11/17/14
 - o Gap in filing period from previous report (10/19-31/14)
 - o Cash in Bank – Balance From Previous Report does not match last report (\$766.23 vs \$1,316.46)
 - o Schedule C – Loans, indicates a loan of \$205.64 on 09/09/14 but never reported in the Schedule A - Receipts section from previous or current reports
 - o Schedule C – Loans, indicates all loans are for the Primary Election but at least two loans (\$500 and \$2,400) were attributed to the General Election in Schedule A.
 - o Schedule D – Corrections of \$390.94 still don't make anything add up

REPORT #7:

REPORT #8:

- Report filed for period 11/20/14 – 12/31/14
 - o If report #7 was truly for 2012, then this report would follow report #6. Thus, there is a gap in filing period from previous report (11/18-20/14)
 - o Cash in Bank – Balance From Previous Report does not match last report (\$480.79 vs \$580.79)
 - o Schedule C - Loans still do not appear to be correct

REPORT #9:

- Report filed for period 01/01/15 – 03/10/15
 - o Negative Report, no change for Primary or General

REPORT #10:

- Report filed for period 01/01/15 – 03/31/15
 - o Appears to be a 2012 Election cycle report

- Report filed for period 11/01/14 – 12/31/14
 - o All related to Primary
 - o Appears to be reporting for the 2012 Election cycle
 - o If Thornley contribution was, in fact, for 2012 cycle, then it appears to not exceed the legal limits